Tips on Preparing for an Ethics Program Review
(and for Administering a Well-Run Program)

Key Program Elements	Administrative/Substantive Aspects	At Time of OGE Ethics Program Review
		(Note to Ethics Officials: You do not need to make extra copies for OGE reviewing purposes.)
Administration & Staffing of Agency Ethics Program	G Assess <u>who</u> performs <u>what</u> ethics program functions.	
	G Do changes need to be made in how the administrative or substantive elements of the program are conducted? Can changes be made?	
	G Have delegations of authority (designations of ethics officials) been documented and forwarded to OGE?	‣ Provide delegations.
	G Has an ethics web site been established at your agency?	
	G Contact other agency personnel who will be involved in ethics program review.	
	Reference: (available at **www.usoge.gov**) G 5 CFR Part 2638, Subparts A and B. G Government Ethics Newsgrams. G Guidelines for Conducting Reviews of Ethics Programs.	
Public System	G Are the procedures for administering the public system documented?	‣ Provide procedures.
	G Is it time to refresh your annual/termination filer notification memorandum? (i.e., Is filer advised of computer-based fillable SF 278?)	‣ Provide annual/term. notification memo.
	G Are listings of public filers up-to-date?	‣ Provide listings.
	G Identify public filers by type (i.e., PAS, Schedule C, non-career SES, regular SES).	‣ Identify by-type on listing.
	G Has OGE granted any public filer exemptions or $200 late filing fee waivers?	‣ Provide documentation.
	G Are the public reports <u>organized</u>? (In addition, are the reports signed and dated in accordance with regulatory requirements? If the public system is administered outside of the ethics office, contact those responsible for this aspect of the program.)	‣ Provide access to last two years of <u>certified</u> SF 278s.

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	G What mechanisms are in place to identify those who enter or leave public filing positions to ensure that the required reports are filed within 30 days?	
	G Is it time to refresh your new entrant notification memorandum?	▸ Provide new entrant notification memo.
	Reference: (available at **www.usoge.gov**) G 5 CFR Part 2634. G OGE Public Review Guide.	
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Confidential System	G Are the procedures for administering the confidential system documented?	▸ Provide procedures.
	G Is it time to refresh your annual filer notification memorandum? (Is the filer authorized to use the alternative OGE Optional Form 450-A ? Is filer advised of computer-based fillable form?)	▸ Provide notification memo.
	G Are listings of confidential filers up-to-date?	▸ Provide listings.
	G Identify SGE confidential filers.	▸ Provide list of names and corresponding OGE Forms 450.
	G Are the confidential reports <u>organized</u>? (In addition, are the reports signed and dated in accordance with regulatory requirements? If the confidential system is administered outside of the ethics office, contact those responsible for this aspect of the program.)	▸ Provide access to last two years of <u>reviewed/certified</u> OGE Forms 450 (or 450-A).
	G What mechanisms are in place to identify those who enter confidential filing positions to ensure that required reports are filed within 30 days?	
	G Is it time to refresh your new entrant notification memorandum?	▸ Provide new entrant notification memo.

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	Reference: (available at www.usoge.gov) G 5 CFR Part 2634. G OGE Confidential Review Guide.	
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18 USC 208(b)(1) and (b)(3) waivers	G Has your agency issued waivers within the last two years?	▸ Provide waivers.
	G Have you routinely consulted formally or informally with OGE prior to granting waivers?	
	G Have copies of waivers been forwarded to OGE?	
	Reference: (available at www.usoge.gov) G 5 CFR Part 2640.	
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Ethics Education and Training	G Have you documented your agency annual ethics training plan? (In addition to identifying the estimates of the number of employees who will receive verbal or written training, the plan should include a brief description of the training.)	▸ Provide current training plan.
	G How is initial ethics orientation training accomplished? Are all required elements being satisfied? Is completion of orientation requirement tracked/monitored?	▸ Provide materials distributed.
	G How are annual ethics training requirements being accomplished for both public and nonpublic filers? Are all required elements being satisfied?	▸ Provide materials used and/or the agenda used.
	G How is annual training tracked to ensure that all those required to receive it do so?	▸ Show how this is accomplished.
	Reference: (available at www.usoge.gov) G 5 CFR Part 2638, Subpart G (and updates issued via DAEOgrams).	
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Ethics Counseling and Advice	G	Is ethics-related advice mostly oral or written? (Should the method for dispensing ethics advice change?)	
	G	How is ethics-related written advice documented?	‣ Provide access to files or provide a sample.
	G	How is written ethics-related advice stored/maintained? (i.e., by year, subject matter, or by employee) Do the advice files need to be organized?	
	G	Is there a formalized method to provide exiting employees post-employment advice? If so, what is provided and is it up-to-date?	‣ Provide the materials distributed.
	G	Is e-mail being used to dispense advice?	‣ Provide access to e-mail advice or provide a sample.
	G	Does your agency have an ethics web site? If so, do you regularly post useful or informative ethics-related advice?	‣ Provide access.
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Outside Activity Approval	G	Has your agency supplemented the Standards to include a requirement for obtaining prior approval before engaging in outside activities or employment?	‣ Provide copy.
	G	Are ethics officials involved in reviewing outside activity/employment requests?	
	G	Are requests/approvals maintained in ethics office?	‣ If so, provide access to files.
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Acceptance of Payments of Travel	G Does your agency have written procedures concerning the acceptance (approval) of payments of travel from non-Federal sources?	▸ Provide procedures.
	G Are travel payment files maintained in the ethics office? Are they organized?	▸ Provide access to files.
	G Do you need to contact the office responsible for maintaining the travel payment files?	▸ If so, arrange for access to files.
	G Who compiles the semiannual report that is forwarded to OGE?	
	Reference: (available at www.usoge.gov) G 31 USC § 1353 and 41 CFR Part 304-1.	
Relationship with your agency Office of the Inspector General (OIG) or the equivalent office	G Contact your OIG to inform of scheduled ethics program review.	
	G Is there a process in place to concurrently notify OGE of conflict of interest referrals to the Department of Justice?	
	G Have there been any conflict of interest referrals to the Department of Justice within the last two years? If so, was OGE concurrently notified?	▸ Provide referrals if not previously provided to OGE.
	Reference: (available at www.usoge.gov) G 5 CFR § 2638.203(b)(11) and (12) and § 603, 28 USC § 535, and 5 USC app. § 402(e)(2)	

Additional Tips on Administering an Agency Ethics Program

When was the last time you thought about:		
G Checking -in with your OGE desk officer.	‣	Find out who this person is if you don't already know. (Ask any OGE staff person.)
	‣	Determine what type of assistance you need, if any.
G Reviewing the various ethics laws & regulations.	‣	Available at www.usoge.gov
G Reviewing OGE's Web site (www.usoge.gov)	‣	Regularly (weekly/monthly) check Web site for updates.
G Whether your agency ethics program office is "connected" to your agency top management officials.	‣	Make your office visible during transition and offer your helpful/useful services.
	‣	Provide personalized in-briefs for new senior officials (and their staffs).
G Establishing an ethics Web site at your agency.	‣	This "tool" can be a great resource in getting information out to agency employees!!
	‣	Don't make the Web site too difficult for employees to find.
	‣	Tell them who you are and how to locate you (your address and your phone number).
	‣	Routinely provide useful (interesting) updates on ethics-related matters.
	‣	Link your site to OGE's Web site.
G Establishing a data base tracking system to monitor (1) financial disclosure report filings and (2) the completion of required annual ethics training.	‣	Think about how the tracking system should be organized (test different formats).
	‣	Think about who is going to input the data. (This can be a very cumbersome duty when dealing with many hundreds of filers and many "fields" of information. Try to be selective about the type of information that you decide to input.)
	‣	Find out about how other agencies are monitoring. Is it "working" for them?
G Encouraging the use of fillable financial disclosure reports (SF 278 & OGE Form 450).	‣	Is this feasible option for your agency's filers?
	‣	See OGE web site
G How to improve the running of a highly decentralized program.	‣	Do you frequently meet with (or distribute information to) component/regional/field ethics officials?